

11 Dec 1978

Approved For Release 2001/11/08 : CIA-RDP93B01194R001300100003-4

GUIDELINES FOR CLASSIFICATION REVIEW OF  
CIA PREDECESSOR RECORDS AND INFORMATION  
BETWEEN 1941-1946

DRAFT

These guidelines are for use in reviewing the classification of permanent records of the Coordinator of Information (COI), (in existence from July 1941 to June 1942); the Office of Strategic Services (OSS), (June 1942 to September 1945); and the Strategic Services Unit (SSU), (October 1945 to October 1946) for which the Director of the CIA has responsibility. Executive Order 12065 requires that classified information constituting permanently valuable records of the government, as defined by 44 U.S.C. 2103, shall be reviewed for declassification as it becomes twenty years old or thirty years in the case of foreign government information. The Order further requires that guidelines for systematic review for declassification shall be issued and state specific limited categories of information which, because of their national security sensitivity, should not be declassified automatically but should be reviewed item-by-item to determine whether continued protection is needed.

A document can only be exempted from declassification if information contained therein is exempt by statute from declassification or meets a two-step test:

1. It concerns one or more of the classification requirements set forth in Section 1-301 of Order:

- (a) military plans, weapons, or operations;
- (b) foreign government information;
- (c) intelligence activities, sources or methods;
- (d) foreign relations or foreign activities of the United States;
- (e) scientific, technological, or economic matters relating to the national security;
- (f) United States Government programs for safeguarding nuclear materials or facilities; or
- (g) other categories of information which are related to national security and which require protection against unauthorized disclosure as determined by the President, by a person designated by the President pursuant to Section 1-201, or by an agency head; and

2. Its unauthorized disclosure could reasonably be expected to cause at least identifiable damage to the national security because of the nature or substance of the information itself or the fact of its possession by the United States Government.

Approved For Release 2001/11/08 : CIA-RDP93B01194R001300100003-4

Decisions to exempt a document from declassification must balance the need to safeguard U.S. national security interests against the public's right to know. If classified information or documents from other U.S. Government agencies are found among these records, they will be reviewed under the originating agency's classification review guidelines or be referred to the originating agency for its review as appropriate.

The major concern in the review of the records of the COI, OSS and SSU is to protect sensitive intelligence sources and methods. The Director of the CIA has statutory responsibility to protect intelligence sources and methods.

An intelligence source is a person, organization, group, technical system, mechanism, device or any other means or instrument that has provided or is being developed to provide foreign intelligence or foreign counterintelligence and which, if its identity or capability is disclosed, could be vulnerable to counteraction which may nullify or significantly reduce its effectiveness in providing foreign intelligence or foreign counterintelligence to the United States. The premature disclosure of the identities of sources who cooperated in confidence will undoubtedly have an adverse impact on an intelligence agency's ability to obtain new sources out of the fear of ultimate compromise. Ideally, source identities should never be disclosed but at a minimum they should not be revealed for at least 75 years to afford a basic level of protection to the sources and their immediate families.

A present, past or prospective intelligence method is a procedure, mode, technique, or requirement used or being developed to acquire, transmit, analyze, evaluate, or process foreign intelligence or foreign counterintelligence or which supports an intelligence source or operation and if disclosed, is vulnerable to counteraction that could nullify or significantly reduce its effectiveness in supporting the foreign intelligence or foreign counterintelligence activities of the United States, or could reasonably lead to the disclosure of an intelligence source or operation.

All classified documents and other materials originated by COI, OSS, or the SSU, or for which they had responsibility, may be declassified except those which, after review under these general guidelines, contain information judged to be still sensitive and which, if declassified, reasonably could be expected to:

1. Identify personnel who were assigned under non-official cover or would reveal a non-official cover arrangement.
2. Identify personnel under official cover or official cover arrangements only where the situation was politically sensitive because of governmental relationships which still could be adversely affected by disclosure, and where there was a unique quality to the cover arrangement which has more than a strictly wartime application.

3. Identify agents, informants or collaborators, witting or unwitting, unless already identified in open literature.

4. Reveal the relationship with any element of a cooperating foreign government or international organization, provide details about it, or reveal information obtained in confidence from such an entity. Classified information received from such an entity in confidence may not be declassified without consulting the originating foreign government entity or international organization.

5. Reveal the strategies, procedures, techniques and devices used to acquire, train and employ agents, collaborators and informants, or to create and employ technical sources for intelligence purposes, and which have more than a strictly wartime application.

6. Disclose communication intelligence, cryptography and related activities which must be protected until they can be reviewed by the National Security Agency. An exception to this is German and Japanese encrypted communications intercepted and decoded during World War II which are declassified.

7. Disclose censorship materials which are to be protected until they can be reviewed by the General Services Administration. (See NARS guidelines of 26 April 1978 for exceptions.) Care must be taken to protect any cooperative foreign government or entity of the foreign government which may have been involved in censorship activities.

8. Disclose classified information originated by another U.S. Government agency which should be coordinated with that agency or its successor agency prior to release or be reviewed under the declassification guidelines issued by the originating agency for that purpose.

9. Disclose information which might adversely affect the conduct of current or future U.S. foreign relations.

10. Disclose information which could place a person in immediate jeopardy.